

Welded Steel Pipe for High-Pressure Service at Moderate Temperatures" (ibr, see § 192.7).

ASTM A 691—Steel pipe, "Standard Specification for Carbon and Alloy Steel Pipe, Electric-Fusion-Welded for High Pressure Service at High Temperatures" (ibr, see § 192.7).

ASTM D 2513—Thermoplastic pipe and tubing, "Standard Specification for Thermoplastic Gas Pressure Pipe, Tubing, and Fittings" (ibr, see § 192.7).

ASTM D 2517—Thermosetting plastic pipe and tubing, "Standard Specification for Reinforced Epoxy Resin Gas Pressure Pipe and Fittings" (ibr, see § 192.7).

## II. Steel Pipe of Unknown or Unlisted Specification.

A. *Bending Properties.* For pipe 2 inches (51 millimeters) or less in diameter, a length of pipe must be cold bent through at least 90 degrees around a cylindrical mandrel that has a diameter 12 times the diameter of the pipe, without developing cracks at any portion and without opening the longitudinal weld.

For pipe more than 2 inches (51 millimeters) in diameter, the pipe must meet the requirements of the flattening tests set forth in ASTM A53 (ibr, see § 192.7), except that the number of tests must be at least equal to the minimum required in paragraph II-D of this appendix to determine yield strength.

B. *Weldability.* A girth weld must be made in the pipe by a welder who is qualified under subpart E of this part. The weld must be made under the most severe conditions under which welding will be allowed in the field and by means of the same procedure that will be used in the field. On pipe more than 4 inches (102 millimeters) in diameter, at least one test weld must be made for each 100 lengths of pipe. On pipe 4 inches (102 millimeters) or less in diameter, at least one test weld must be made for each 400 lengths of pipe. The weld must be tested in accordance with API Standard 1104 (ibr, see § 192.7). If the requirements of API Standard 1104 cannot be met, weldability may be established by making chemical tests for carbon and manganese, and proceeding in accordance with section IX of the ASME Boiler and Pressure Vessel Code (ibr, see 192.7). The same number of chemical tests must be made as are required for testing a girth weld.

C. *Inspection.* The pipe must be clean enough to permit adequate inspection. It must be visually inspected to ensure that it is reasonably round and straight and there are no defects which might impair the strength or tightness of the pipe.

D. *Tensile Properties.* If the tensile properties of the pipe are not known, the minimum yield strength may be taken as 24,000 p.s.i. (165 MPa) or less, or the tensile properties may be established by performing tensile tests as set forth in API Specification 5L (ibr, see § 192.7). \* \* \*

## PART 195—TRANSPORTATION OF HAZARDOUS LIQUIDS BY PIPELINE

■ 1. The authority citation for part 195 continues to read as follows:

**Authority:** 49 U.S.C. 5103, 60102, 60104, 60108, 60109, 60118; and 49 CFR 1.53.

■ 2. Revise § 195.222 to read as follows:

### § 195.222 Welders: Qualification of welders.

(a) Each welder must be qualified in accordance with section 6 of API 1104 (ibr, see § 195.3) or section IX of the ASME Boiler and Pressure Vessel Code, (ibr, see § 195.3) except that a welder qualified under an earlier edition than listed in § 195.3 may weld but may not re-qualify under that earlier edition.

(b) No welder may weld with a welding process unless, within the preceding 6 calendar months, the welder has—

(1) Engaged in welding with that process; and

(2) Had one welded tested and found acceptable under section 9 of API 1104 (ibr, see § 195.3).

Issued in Washington, DC on August 27, 2004.

**Elaine E. Joost,**

*Acting Deputy Administrator.*

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### 50 CFR Part 648

[Docket No. 040112010-4114-02; I.D. 090204D]

### Magnuson-Stevens Fishery Conservation and Management Act Provisions; Fisheries of the Northeastern United States; Northeast (NE) Multispecies Fishery; Closure of the Closed Area II (CA II) Yellowtail Flounder Special Access Program (SAP)

**AGENCY:** National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

**ACTION:** Closure of CA II Yellowtail Flounder SAP for fishing year 2004.

**SUMMARY:** NMFS announces that the Administrator, Northeast Region, NMFS (Regional Administrator), is closing the CA II Yellowtail Flounder SAP to all NE multispecies days-at-sea (DAS) vessels, effective September 3, 2004. Vessels that have not yet departed on a trip to fish in the SAP as of September 3, 2004, may not begin a trip into the SAP.

**DATES:** Effective September 3, 2004, through April 30, 2005.

**FOR FURTHER INFORMATION CONTACT:** Thomas Warren, Fishery Policy Analyst, (978) 281-9347, fax (978) 281-9135, e-mail [Thomas.Warren@NOAA.gov](mailto:Thomas.Warren@NOAA.gov).

#### SUPPLEMENTARY INFORMATION:

Regulations governing the CA II Yellowtail Flounder SAP are found at 50 CFR 648.85(b)(3). The regulations authorize vessels issued a valid limited access NE multispecies DAS permit to participate in the CA II Yellowtail Flounder SAP and to fish in the CA II Yellowtail Flounder Access Area, under specific conditions. Unless otherwise authorized by the Regional Administrator, eligible vessels are restricted to two trips per month into the SAP, and the maximum total number of trips allowed into the SAP by all NE multispecies vessels combined is 320 trips for fishing year 2004. The Regional Administrator is authorized by § 648.85(a)(3)(iv)(D) to modify certain regulations pertaining to the U.S./Canada Management Area in order to prevent over-harvesting or under-harvesting of the yellowtail flounder total allowable catch, including the number of total trips allowed into this SAP. The Regional Administrator, based upon Vessel Monitoring System reports and other available information, has determined that 320 trips into the SAP have been taken and that, according to the regulations, no additional NE multispecies DAS vessels may depart port to begin a trip into the CA II Yellowtail Flounder SAP.

#### Classification

This action is required by 50 CFR part 648 and is exempt from review under Executive Order 12866.

**Authority:** 16 U.S.C. 1801 *et seq.*

Dated: September 2, 2004.

**Alan D. Risenhoover,**

*Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.*

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